

**REMARKS****STATUS OF THE APPLICATION AND CLAIMS**

The Applicant wishes to thank Examiner Haas for the telephonic interview of September 28, 2004.

Claims 21, 24 and 49 stand rejected by the Office. Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing the claims in condition for allowance. Applicant submits that the proposed amendments of claims 21, 24 and 49, and new claims 95-97, raise no new issues and neither introduce new matter nor necessitate the undertaking of any additional search of the art by the Examiner since all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. It is, therefore, Applicant's belief that this Amendment should allow for immediate action by the Examiner.

**CLAIM OBJECTIONS****Rejection Under 35 U.S.C. § 102(b)**

The Office rejected claims 21, 24 and 49 under 35 U.S.C. § 102 (b), as being anticipated by Li et al. and Burkhardt et al. Office Action, 06/04/2004, page 2, ¶ 2.

Specifically, the Office noted that Li et al. "teach a medium for induction of embryogenic cultures of asparagus comprising paclobutrazol, ancymidol, or uniconazole (gibberellin inhibitors)," and Burkhardt et al. "teach a medium for growing and rooting microshoots obtained from previous growth and proliferation of white pine seedling embryogenic tissue comprising ancymidol and flurprimidol (gibberellin inhibitors)." *Id.* at 2.

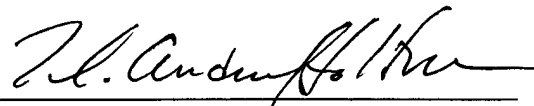
Pursuant to comments made during the September 28, 2004 interview with Examiner Haas, the Applicant submits amended claims 21, 24 and 49, and new claims 95-97.

In view of the foregoing amendments and remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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By:   
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